

REMARKS

This paper is intended as a full and complete response to the Office Action dated June 17, 2005, having a shortened statutory period for response set to expire on September 17, 2005.

Claims 1, 13, 21, and 31 are currently amended in the Application.

Claim 6 is cancelled from the Application.

Claims 1-5 and 7-40 are pending in the Application.

I. Claim Rejections, 35 USC §102

The Office Action rejects Claims 1-3, 5, 9-15, 18, 19, 21-26, and 31-36 under 35 U.S.C. § 102 (c) as being anticipated by Bates US Patent Number 6,779,021.

Applicant has amended the independent Claims 1, 13, 21, and 31 to more clearly define the delay queue used in the gateway as taught in Claim 6. Applicant has cancelled Claim 6 from the Application.

Applicant's apparatus is for reducing unsolicited bulk email, or spam to a computer network. The Applicant's apparatus, as claimed, includes a gateway, a mail queue, and a delay queue.

Bates teaches multiple mail domain servers 50a-50n connected to a network server 40 via a network 38 (See *Bates*, Col. 6). In contrast to the Applicant's apparatus, *Bates* does not have a mail queue with a delay queue to poll a plurality of machines for at least one attribute or characteristic of the emails in the delay queue.

Applicant teaches that, when multiple e-mails are received at a network server intended for multiple clients served by the network server, the received e-mails are analyzed to determine patterns of similarity in order to classify at least a portion of the e-

mail as undesirable e-mail. The classification is performed by using a technique that polls a plurality of machines in the delay queue.

Further, *Bates* teaches using an email folder 44 to store incoming and outgoing emails according to user account, log in information, and inclusion and/or blocking preferences (See *Bates*, Col. 6, Lines 50-54).

Bates utilizes a prediction application 42 to analyze emails. The prediction application analyzes for unusually large numbers of users receiving the same email from a particular user address in a particular time period to identify spam. *Bates*' filtering technique compares emails that are not from the same address or domain.

In contrast to *Bates*, Applicant's apparatus has a delay queue for a defined time period, as taught in the amended claims. The delay queue resides on a plurality of machines and polls the plurality of machines regarding at least one characteristic of the mails on the delay queue.

Claims 2-3, 5, 9-12, 14-15, 18, 19, 22-26, and 32-36 depend from either independent Claim 1, 13, 21, or 31. Since Claims 1, 13, 21, and 31 are distinguishable from *Bates* and since Claims 2-3, 5, 9-12, 14-15, 18, 19, 22-26, and 32-36 include the limitations of the independent claims thereof, Applicant believes that Claims 2-3, 5, 9-12, 14-15, 18, 19, 22-26, and 32-36 have been distinguished from the teachings of *Bates*.

Applicant believes no new matter has been added with these amendments. Reconsideration of the rejection to the claims in view of the amendments and remarks is respectfully requested.

II. Claim Rejections, 35 USC §103

The Office Action rejects Claims 4, 6, 16, 17, 20, 27-30, and 37-40 under 35 U.S.C. § 103(a) as being unpatentable over *Bates* US Patent Number 6,779,021.

For the reasons stated above, Applicant believes the amended independent claims 1, 13, 21, and 31 are patentable and distinct from *Bates*. Claims 4, 6, 16, 17, 20, 27-30, and 37-40 depend from either independent Claim 1, 13, 21, or 31. Since Claims 1, 13, 21, and 31 are distinguishable from *Bates* and since Claims 4, 6, 16, 17, 20, 27-30, and 37-40 include the limitations of the independent claims thereof, Applicant believes that Claims 4, 6, 16, 17, 20, 27-30, and 37-40 have been distinguished from the teachings of *Bates*.

Reconsideration of the rejection to the claims in view of the amendments and remarks is respectfully requested.

The Office Action rejects Claims 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over *Bates* US Patent Number 6,779,021, in view of *Chu* US Patent Number 6,182,119.

Applicant notes that *Chu* discloses a method and system for filtering and acting upon data, wherein a user interface is provided to allow a user to specify changes to the publisher-subscriber relationships between the components, or to the initialization arguments of the components

Chu does not teach polling in the delay queue as noted in Applicant's apparatus. *Chu* does not, therefore, add the missing elements from *Bates*.

Reconsideration of the rejection to the claims in view of the amendments and remarks is respectfully requested.

Applicant appreciates the examiners time and attention to this matter. Applicant believes no new matter has been added with any amendments that have been made. Applicant believes claims as now provided are in condition for allowance. Reconsideration of this application is respectfully requested.

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Respectfully submitted,



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